



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

March 14, 2003

### **S. 113**

**A bill to amend the Foreign Intelligence Surveillance Act of 1978 to cover individuals, other than United States persons, who engage in international terrorism without affiliation with an international terrorist group**

*As ordered reported by the Senate Committee on the Judiciary on March 6, 2003*

CBO estimates that implementing S. 113 would not result in any significant cost to the federal government. Enacting S. 113 could affect direct spending and receipts, but CBO estimates that any such effects would not be significant. S. 113 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

S. 113 would amend the Foreign Intelligence Surveillance Act of 1978 to expand the definition of “agent of a foreign power.” Under the bill, this designation would include persons (other than U.S. persons) who engage in or prepare for international terrorist acts on their own. This would enable the Attorney General to use electronic surveillance to acquire information on such individuals. The provisions of S. 113 would expire on December 31, 2005.

Implementing the bill could result in more successful investigations and prosecutions in certain cases involving terrorist acts. CBO expects that any increase in costs for law enforcement, court proceedings, or prison operations would not be significant because of the small number of cases likely to be affected. Any such additional costs would be subject to the availability of appropriated funds.

Because those prosecuted and convicted under S. 113 could be subject to criminal fines, the federal government might collect additional fines if the bill is enacted. Collections of such fines are recorded in the budget as governmental receipts (revenues), which are deposited in the Crime Victims Fund and later spent. CBO expects that any additional receipts and direct spending would be negligible because of the small number of cases involved.

The CBO staff contact for this estimate is Mark Grabowicz. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.